



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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May 18, 2010

IN REPLY PLEASE
REFER TO FILE: **SMP-6**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**SALE OF REAL PROPERTY, FIRST AMENDMENT TO LEASE NO. 34340
AND RESOLUTION OF SUMMARY VACATION
OF A PORTION OF PECK PARK TRAIL
PECK ROAD WATER CONSERVATION PARK - PARCEL 1EX
RIO HONDO CHANNEL - PARCELS 192EX.2, 214EX.2, AND 297EX.2
CITIES OF ARCADIA AND EL MONTE
(SUPERVISORIAL DISTRICTS 1 AND 5)
(3 VOTES)**

SUBJECT

This action is to approve the sale of real property along Peck Road Water Conservation Park and Rio Hondo Channel, in the Cities of Arcadia and El Monte, from the Los Angeles County Flood Control District to the City of Arcadia and Kare Youth League; approve the First Amendment to Lease No. 34340 between the Los Angeles County Flood Control District, the County of Los Angeles, and the State of California through the Department of Fish and Game; and to vacate a portion of an easement for riding and hiking trail purposes.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find these transactions are categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve the First Amendment to Lease Agreement No. 34340 between the

Los Angeles County Flood Control District, the County of Los Angeles, and the State of California through the Department of Fish and Game.

3. Declare the fee interests in Peck Road Water Conservation Park, Parcel 1EX, located in the City of Arcadia, and Rio Hondo Channel, Parcels 192EX.2, 214EX.2, and 297EX.2, located in the City of El Monte, are no longer required for purposes of the Los Angeles County Flood Control District.
4. Authorize the sale of Parcels 192EX.2, 214EX.2, and 297EX.2 to the adjacent property owner, Kare Youth League, for \$20,000.
5. Approve the quitclaim of Parcel 1EX to the City of Arcadia.
6. Instruct the Chair of the Board of Supervisors to sign the First Amendment to Lease Agreement No. 34340 on behalf of the Los Angeles County Flood Control District.
7. Instruct the Chair of the Board of Supervisors to sign the Quitclaim Deeds, upon presentation by the Department of Public Works, and authorize delivery to the City of Arcadia and Kare Youth League.

JOINT RECOMMENDATION WITH THE DEPARTMENT OF PARKS AND RECREATION THAT YOUR BOARD:

1. Find that these actions are categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve the First Amendment to Lease Agreement No. 34340 between the Los Angeles County Flood Control District, the County of Los Angeles, and the State of California through the Department of Fish and Game.
3. Instruct the Chair of the Board of Supervisors to sign the First Amendment to Lease Agreement No. 34340 on behalf of the County of Los Angeles.
4. Find that a portion of an easement for riding and hiking purposes, northwest of Peck Road Spreading Basin, has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation, and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
5. Adopt the Resolution of Summary Vacation.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain your Board's approval to sell portions of the surplus property along Peck Road Water Conservation Park to the City of Arcadia (City) and along Rio Hondo Channel to Kare Youth League (KARE); to amend Lease No. 34340 between the Los Angeles County Flood Control District (LACFCD), the County of Los Angeles (County), and the State of California through the Department of Fish and Game (State) along Peck Road Water Conservation Park; and to vacate a portion of an easement for riding and hiking trail purposes (Easement) within Peck Road Spreading Basin.

The LACFCD acquired fee title to Peck Road Water Conservation Park, Parcel 1EX, and Rio Hondo Channel, Parcels 192EX.2, 214EX.2, and 297EX.2, for flood control and spreading basin purposes. Construction has been completed, and these parcels lie outside the required right of way.

The LACFCD acquired Parcel 1EX from the City with a provision that if the land is no longer used for flood control or spreading basin purposes, title shall revert to the City. The LACFCD no longer requires Parcel 1EX for its operations and it can, therefore, be quitclaimed back to the City.

KARE has been renting Parcels 192EX.2, 214EX.2, and 297EX.2 and requested to purchase these parcels. KARE is the adjacent property owner and, therefore, is considered to be the only logical purchaser.

Lease No. 34340 encumbers the parcels to be sold to KARE and must be amended to exclude that portion of the premises that is to be sold to KARE.

Certain parcels within the Easement will also be sold to KARE. The portion of the easement that contains the physical riding and hiking trail will continue to be maintained by the County. The portion of the Easement that does not contain the physical riding and hiking trail can be vacated and sold to KARE.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The revenue received from these transactions will help promote fiscal sustainability for the operation and maintenance of flood control facilities.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The proposed cost of the sale to KARE in the amount of \$20,000 represents the fair market value. This amount has been paid and deposited into the Flood Control District Fund.

The vacation processing fee has been waived as this is a Department of Public Works (Public Works) initiated action. The waiver of the fee was authorized by your Board in a resolution, adopted May 4, 1982, Synopsis 62 (Fee Schedule), as prescribed in Section 22.60.110 of the Los Angeles County Code, and Section 8321 (f) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Parcels 1EX, 192EX.2, 214EX.2, and 297EX.2, and the easement are located on the north side of Peck Road Water Conservation Park, east of Tyler Avenue, in the Cities of Arcadia and El Monte.

As required by Government Code Section 65402(c), notification of the proposed sales was submitted to the City of El Monte for its report as to conformance with the adopted General Plan by letter dated November 25, 2009.

The proposed quitclaim is authorized by Section 2, Paragraph 13 of the Los Angeles County Flood Control Act. This Section provides as follows: "Said Los Angeles County Flood Control District hereby declared to be a body corporate and politic, and as such shall have the power...13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of said board of supervisors said property, or any interest therein or part thereof, is no longer required for the purposes of said district..."

The Quitclaim Deeds and the First Amendment to Lease No. 34340 (Amendment) have been approved by County Counsel as to form and will be recorded.

The area of Peck Park Trail northwest of Peck Road Spreading Basin that is to be vacated contains approximately 5,667 square feet and is shown on the map attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333 provides "The legislative body of a local agency may summarily vacate a public service easement in any of the following cases: (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation."

The County's interest in the Easement was acquired by deed recorded on October 24, 1951, in Book 37489, page 87 of official records, in the office of the Registrar-Recorder/County Clerk of the County.

ENVIRONMENTAL DOCUMENTATION

The proposed sales are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15305, 15312, and 15321 of the State CEQA Guidelines and Classes 5, 12, and 21 of the Environmental Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for the sale of surplus government property, and they also state that these classes of sales consisting of minor alterations in land use limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

These transactions would eliminate unnecessary maintenance costs and reduce the County's future exposure to potential liabilities.


CONCLUSION

Please return one adopted copy of this letter, one original, one copy of the resolution, and the executed six Amendments to Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original resolution for your files. Upon presentation by Public Works, please have the Chair of the Board of Supervisors sign the Quitclaim Deeds, return the executed original to Public Works, Survey/Mapping and Property Management Division, and retain the duplicates for your files.

Respectfully submitted,



GAIL FARBER
Director of Public Works



RUSS GUINEY
Director of Parks and Recreation

GF:SGS:hp

Enclosures

c: Auditor-Controller (Accounting Division - Asset Management)
Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office